

September 30, 1997, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution and an amendment striking lines 8 through 17 on page 24 shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: page 3, line 1, through line 9; page 10, line 3, through line 15; page 25, line 1, through line 21; page 26, line 8, through line 15; and page 33, line 14, through page 34, line 19. Before consideration of any other amendment it shall be in order to consider the amendments printed in part 2 of the report of the Committee on Rules. Each amendment printed in part 2 of the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in part 2 of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and any amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. STEARNS, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 193
Nays 229

¶48.5

[Roll No. 125]

YEAS—193

Aderholt	Goodlatte	Paul
Archer	Goodling	Paxon
Armey	Goss	Pease
Bachus	Greenwood	Peterson (MN)
Baker	Gutierrez	Peterson (PA)
Ballenger	Hansen	Petri
Barcia	Hastert	Pomeroy
Barrett (NE)	Hastings (WA)	Porter
Bartlett	Hayworth	Portman
Barton	Hefley	Pryce (OH)
Bateman	Herger	Quinn
Bereuter	Hobson	Ramstad
Berry	Hoekstra	Regula
Bilbray	Horn	Riggs
Bilirakis	Hostettler	Riley
Bliley	Houghton	Rogers
Boehlert	Hunter	Rohrabacher
Boehner	Hyde	Ros-Lehtinen
Bonilla	Inglis	Roukema
Bono	Istook	Royce
Bryant	Jenkins	Ryun
Bunning	Johnson (CT)	Salmon
Burr	Johnson, Sam	Sanford
Burton	Kasich	Saxton
Callahan	Kelly	Scarborough
Calvert	Kim	Schaefer, Dan
Campbell	Klug	Schaffer, Bob
Canady	Knollenberg	Sensenbrenner
Chabot	LaHood	Shadegg
Coble	Largent	Shaw
Coburn	Latham	Shimkus
Combest	LaTourette	Shuster
Cook	Lazio	Skeen
Cox	Leach	Smith (MI)
Crane	Lewis (CA)	Smith (NJ)
Crapo	Lewis (KY)	Smith (OR)
Cunningham	Linder	Smith (TX)
Davis (VA)	Livingston	Smith, Linda
Diaz-Balart	LoBiondo	Snowbarger
Dickey	Lucas	Solomon
Dingell	Manzullo	Spence
Dreier	McCollum	Stearns
Duncan	McCrery	Stump
Dunn	McDade	Sununu
Ehlers	McHugh	Talent
Emerson	McInnis	Tauzin
English	McIntyre	Taylor (NC)
Ensign	McKeon	Thomas
Everett	Meek	Thornberry
Ewing	Metcalfe	Thune
Fawell	Mica	Trafigant
Foley	Miller (FL)	Walsh
Forbes	Minge	Wamp
Fowler	Molinari	Watkins
Fox	Moran (KS)	Watts (OK)
Franks (NJ)	Morella	Weldon (FL)
Frelinghuysen	Myrick	Weller
Galleghy	Nethercutt	White
Ganske	Neumann	Whitfield
Gekas	Ney	Wolf
Gibbons	Northup	Wynn
Gilchrest	Nussle	Young (AK)
Gillmor	Olver	Young (FL)
Gilman	Oxley	
Goode	Packard	

NAYS—229

Abercrombie	Carson	Deutsch
Ackerman	Castle	Dicks
Allen	Chambliss	Dixon
Baessler	Chenoweth	Doggett
Baldacci	Christensen	Dooley
Barr	Clay	Doolittle
Barrett (WI)	Clayton	Doyle
Bass	Clement	Edwards
Becerra	Clyburn	Ehrlich
Bentsen	Collins	Engel
Berman	Condit	Eshoo
Bishop	Conyers	Etheridge
Blagojevich	Cooksey	Evans
Blumenauer	Costello	Farr
Blunt	Coyne	Fattah
Bonior	Cramer	Fazio
Borski	Cubin	Filner
Boswell	Cummings	Foglietta
Boucher	Danner	Ford
Boyd	Davis (FL)	Frank (MA)
Brady	Davis (IL)	Frost
Brown (CA)	Deal	Furse
Brown (FL)	DeFazio	Gejdenson
Brown (OH)	Delahunt	Gephardt
Camp	DeLauro	Gonzalez
Capps	DeLay	Gordon
Cardin	Dellums	Graham

Granger	Manton	Rothman
Green	Markey	Roybal-Allard
Gutknecht	Martinez	Rush
Hall (OH)	Mascara	Sabo
Hall (TX)	Matsui	Sanchez
Hamilton	McCarthy (MO)	Sanders
Harman	McCarthy (NY)	Sandlin
Hastings (FL)	McDermott	Sawyer
Hill	McGovern	Schumer
Hilleary	McIntosh	Scott
Hilliard	McKinney	Serrano
Hinchey	McNulty	Sessions
Hinojosa	Meehan	Shays
Hooley	Menendez	Sherman
Hoyer	Millender-McDonald	Sisisky
Hulshof	Miller (CA)	Skaggs
Hutchinson	Mink	Slaughter
Jackson (IL)	Moakley	Smith, Adam
Jackson-Lee (TX)	Mollohan	Snyder
Jefferson	Moran (VA)	Souder
John	Murtha	Spratt
Johnson (WI)	Nadler	Stabenow
Johnson, E. B.	Neal	Stenholm
Jones	Norwood	Stokes
Kanjorski	Oberstar	Strickland
Kaptur	Obey	Stupak
Kennedy (MA)	Ortiz	Tanner
Kennedy (RI)	Owens	Tauscher
Kennelly	Pallone	Taylor (MS)
Kildee	Pappas	Thompson
Kilpatrick	Parker	Thurman
Kind (WI)	Pascarell	Tiahrt
King (NY)	Pastor	Tierney
Kingston	Payne	Torres
Klecza	Pelosi	Towns
Klink	Pickering	Turner
Kolbe	Pickett	Upton
Kucinich	Pitts	Velazquez
LaFalce	Pombo	Vento
Lampson	Poshard	Visclosky
Lantos	Price (NC)	Waters
Levin	Radanovich	Watt (NC)
Lewis (GA)	Rahall	Waxman
Lipinski	Rangel	Weldon (PA)
Lofgren	Reyes	Wexler
Looney	Rivers	Weygand
Luther	Rodriguez	Wick
Maloney (CT)	Roemer	Wise
Maloney (NY)	Rogan	Woolsey
		Yates

NOT VOTING—11

Andrews	Flake	Schiff
Buyer	Hefner	Skelton
Cannon	Holden	Stark
DeGette	McHale	

So the resolution was not agreed to.

A motion to reconsider the vote whereby said resolution was not agreed to was, by unanimous consent, laid on the table.

¶48.6 COMMITTEE ELECTION—MINORITY

Mr. FAZIO, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 148):

Resolved, That the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on Small Business:

Ruben Hinojosa of Texas;

Marion Berry of Arkansas.

To the Committee on Veterans' Affairs:
Ciro Rodriguez of Texas.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶48.7 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Ludregan, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 5. An Act to amend the Individuals with Disabilities Education Act, to reauthor-

ize and make improvements to that Act, and for other purposes.

H. Con. Res. 66. Concurrent resolution authorizing the use of the Capitol grounds for the sixteenth annual National Peace Officers' Memorial Service.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the majority leader, announced the appointment of C. John Sobotka, of Mississippi, to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Democratic leader, announced the reappointment of John C. Waugh, of Texas, to the Advisory Committee on the Records of Congress.

48.8 COMMUNITY HOUSING OPPORTUNITY AND RESPONSIBILITY

The SPEAKER pro tempore, Mr. GIBBONS, pursuant to House Resolution 133 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes.

Mr. RIGGS, Acting Chairman, assumed the chair; and after some time spent therein,

48.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. KENNEDY of Massachusetts:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Public Housing Management Reform Act of 1997".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows—

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.

TITLE I—PUBLIC HOUSING AND RENT REFORMS

- Sec. 101. Establishment of capital and operating funds.
- Sec. 102. Determination of rental amounts for residents.
- Sec. 103. Minimum rents for public housing and section 8.
- Sec. 104. Public housing ceiling rents.
- Sec. 105. Disallowance of earned income from public housing and section 8 rent and family contribution determinations.
- Sec. 106. Public housing homeownership.
- Sec. 107. Public housing agency plan.
- Sec. 108. PHMAP indicators for small PHA's.
- Sec. 109. PHMAP self-sufficiency indicator.
- Sec. 110. Expansion of powers for dealing with PHA's.
- Sec. 111. Public housing site-based waiting lists.
- Sec. 112. Community service requirements for public housing and section 8 programs.
- Sec. 113. Comprehensive improvement assistance program streamlining.

Sec. 114. Flexibility for PHA funding.

Sec. 115. Replacement housing resources.

Sec. 116. Repeal of one-for-one replacement housing requirement.

Sec. 117. Demolition, site revitalization, replacement housing, and tenant-based assistance grants for developments.

Sec. 118. Performance evaluation board.

Sec. 119. Economic development and supportive services for public housing residents.

Sec. 120. Penalty for slow expenditure of modernization funds.

Sec. 121. Designation of PHA's as troubled.

Sec. 122. Volunteer services under the 1937 Act.

Sec. 123. Authorization of appropriations for operation safe home program.

TITLE II—SECTION 8 STREAMLINING

Sec. 201. Permanent repeal of Federal preferences.

Sec. 202. Income targeting for public housing and section 8 programs.

Sec. 203. Merger of tenant-based assistance programs.

Sec. 204. Section 8 administrative fees.

Sec. 205. Section 8 homeownership.

Sec. 206. Welfare to work certificates.

Sec. 207. Effect of failure to comply with public assistance requirements.

Sec. 208. Streamlining section 8 tenant-based assistance.

Sec. 209. Nondiscrimination against certificate and voucher holders.

Sec. 210. Recapture and reuse of ACC project reserves under tenant-based assistance program.

Sec. 211. Expanding the coverage of the Public and Assisted Housing Drug Elimination Act of 1990.

Sec. 212. Study regarding rental assistance.

TITLE III—"ONE-STRIKE AND YOU'RE OUT" OCCUPANCY PROVISIONS

Sec. 301. Screening of applicants.

Sec. 302. Termination of tenancy and assistance.

Sec. 303. Lease requirements.

Sec. 304. Availability of criminal records for public housing tenant screening and eviction.

Sec. 305. Definitions.

Sec. 306. Conforming amendments.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) we have a shared national interest in creating safe, decent and affordable housing because, for all Americans, housing is an essential building block toward holding a job, getting an education, participating in the community, and helping fulfill our national goals;

(2) the American people recognized this shared national interest in 1937, when we created a public housing program dedicated to meeting these needs while creating more hope and opportunity for the American people;

(3) for 60 years America's public housing system has provided safe, decent, and affordable housing for millions of low-income families, who have used public housing as a stepping stone toward greater stability, independence, and homeownership;

(4) today, more than 3,300 local public housing agencies—95 percent of all housing agencies throughout America—are providing a good place for families to live and fulfilling their historic mission;

(5) yet, for all our progress as a nation, today, only one out of four Americans who needs housing assistance receives it;

(6) at the same time, approximately 15 percent of the people who live in public housing nationwide live in housing with management designated as "troubled";

(7) for numerous developments at these troubled public housing agencies and else-

where, families face a overwhelming mix of crime, drug trafficking, unemployment, and despair, where there is little hope for a better future or a better life;

(8) the past 60 years have resulted in a system where outdated rules and excessive government regulation are limiting our ability to propose innovative solutions and solve problems, not only at the relatively few local public housing agencies designated as troubled, but at the 3,300 that are working well;

(9) obstacles faced by those agencies that are working well—multiple reports and cumbersome regulations—make a compelling case for deregulation and for concentration by the Department of Housing and Urban Development on fulfillment of the program's basic mission;

(10) all told, the Department has drifted from its original mission, creating bureaucratic processes that encumber the people and organizations it is supposed to serve;

(11) under a framework enacted by Congress, the Department has begun major reforms to address these problems, with dramatic results;

(12) public housing agencies have begun to demolish and replace the worst public housing, reduce crime, promote resident self-sufficiency, upgrade management, and end the isolation of public housing developments from the working world;

(13) the Department has also recognized that for public housing to work better, the Department needs to work better, and has begun a major overhaul of its organization, streamlining operations, improving management, building stronger partnerships with state and local agencies and improving its ability to take enforcement actions where necessary to assure that its programs serve their intended purposes; and

(14) for these dramatic reforms to succeed, permanent legislation is now needed to continue the transformation of public housing agencies, strip away outdated rules, provide necessary enforcement tools, and empower the Department and local agencies to meet the needs of America's families.

(b) PURPOSE.—It is the purpose of this Act—

(1) to completely overhaul the framework and rules that were put in place to govern public housing 60 years ago;

(2) to revolutionize the way public housing serves its clients, fits in the community, builds opportunity, and prepares families for a better life;

(3) to reaffirm America's historic commitment to safe, decent, and affordable housing and to remove the obstacles to meeting that goal;

(4) to continue the complete and total overhaul of management of the Department;

(5) to dramatically deregulate and reorganize the Federal Government's management and oversight of America's public housing;

(6) to ensure that local public housing agencies spend more time delivering vital services to residents and less time complying with unessential regulations or filing unessential reports;

(7) to achieve greater accountability of taxpayer funds by empowering the Federal Government to take firmer, quicker, and more effective actions to improve the management of troubled local housing authorities and to crack down on poor performance;

(8) to preserve public housing as a rental resource for low-income Americans, while breaking down the extreme social isolation of public housing from mainstream America;

(9) to provide for revitalization of severely distressed public housing, or its replacement with replacement housing or tenant-based assistance;

(10) to integrate public housing reform with welfare reform so that welfare recipients—many of whom are public housing resi-